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09400HB2455ham001

LRB094 10379 JAM 42690 a

1 AMENDMENT TO HOUSE BILL 2455

2 AMENDMENT NO. _____. Amend House Bill 2455 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Governmental Ethics Act is amended
5 by changing Section 4A-106 as follows:

6 (5 ILCS 420/4A-106) (from Ch. 127, par. 604A-106)

7 Sec. 4A-106. The statements of economic interests required
8 of persons listed in items (a) through (f), item (j), and item
9 (l) of Section 4A-101 shall be filed with the Secretary of
10 State. The statements of economic interests required of persons
11 listed in items (g), (h), (i), and (k) of Section 4A-101 shall
12 be filed with the county clerk of the county in which the
13 principal office of the unit of local government with which the
14 person is associated is located. If it is not apparent which
15 county the principal office of a unit of local government is
16 located, the chief administrative officer, or his or her
17 designee, has the authority, for purposes of this Act, to
18 determine the county in which the principal office is located.
19 On or before February 1 annually, (1) the chief administrative
20 officer of any State agency in the executive, legislative, or
21 judicial branch employing persons required to file under item
22 (f) or item (l) of Section 4A-101 shall certify to the
23 Secretary of State the names and mailing addresses of those
24 persons, and (2) the chief administrative officer, or his or

1 her designee, of each unit of local government with persons
2 described in items (h), (i) and (k) of Section 4A-101 shall
3 certify to the appropriate county clerk a list of names and
4 addresses of persons described in items (h), (i) and (k) of
5 Section 4A-101 that are required to file. In preparing the
6 lists, each chief administrative officer, or his or her
7 designee, shall set out the names in alphabetical order.

8 On or before April 1 annually, the Secretary of State shall
9 notify (1) all persons whose names have been certified to him
10 under items (f) and (l) of Section 4A-101, and (2) all persons
11 described in items (a) through (e) and item (j) of Section
12 4A-101, other than candidates for office who have filed their
13 statements with their nominating petitions, of the
14 requirements for filing statements of economic interests. A
15 person required to file with the Secretary of State by virtue
16 of more than one item among items (a) through (f) and items (j)
17 and (l) shall be notified of and is required to file only one
18 statement of economic interests relating to all items under
19 which the person is required to file with the Secretary of
20 State.

21 On or before April 1 annually, the county clerk of each
22 county shall notify all persons whose names have been certified
23 to him under items (g), (h), (i), and (k) of Section 4A-101,
24 other than candidates for office who have filed their
25 statements with their nominating petitions, of the
26 requirements for filing statements of economic interests. A
27 person required to file with a county clerk by virtue of more
28 than one item among items (g), (h), (i), and (k) shall be
29 notified of and is required to file only one statement of
30 economic interests relating to all items under which the person
31 is required to file with that county clerk.

32 Except as provided in Section 4A-106.1, the notices
33 provided for in this Section shall be in writing and deposited
34 in the U.S. Mail, properly addressed, first class postage

1 prepaid, on or before the day required by this Section for the
2 sending of the notice. A certificate executed by the Secretary
3 of State or county clerk attesting that he has mailed the
4 notice constitutes prima facie evidence thereof.

5 From the lists certified to him under this Section of
6 persons described in items (g), (h), (i), and (k) of Section
7 4A-101, the clerk of each county shall compile an alphabetical
8 listing of persons required to file statements of economic
9 interests in his office under any of those items. As the
10 statements are filed in his office, the county clerk shall
11 cause the fact of that filing to be indicated on the
12 alphabetical listing of persons who are required to file
13 statements. Within 30 days after the due dates, the county
14 clerk shall mail to the State Board of Elections a true copy of
15 that listing showing those who have filed statements.

16 The county clerk of each county shall note upon the
17 alphabetical listing the names of all persons required to file
18 a statement of economic interests who failed to file a
19 statement on or before May 1. It shall be the duty of the
20 several county clerks to give notice as provided in Section
21 4A-105 to any person who has failed to file his or her
22 statement with the clerk on or before May 1.

23 Any person who files or has filed a statement of economic
24 interest under this Act is entitled to receive from the
25 Secretary of State or county clerk, as the case may be, a
26 receipt indicating that the person has filed such a statement,
27 the date of such filing, and the identity of the governmental
28 unit or units in relation to which the filing is required.

29 The Secretary of State may employ such employees and
30 consultants as he considers necessary to carry out his duties
31 hereunder, and may prescribe their duties, fix their
32 compensation, and provide for reimbursement of their expenses.

33 All statements of economic interests filed under this
34 Section shall be available for examination and copying by the

1 public at all reasonable times. Not later than 12 months after
2 the effective date of this amendatory Act of the 93rd General
3 Assembly, beginning with statements filed in calendar year
4 2004, the Secretary of State shall make statements of economic
5 interests filed with the Secretary available for inspection and
6 copying via the Secretary's website. ~~Each person examining a
7 statement filed with the county clerk must first fill out a
8 form prepared by the Secretary of State identifying the
9 examiner by name, occupation, address and telephone number, and
10 listing the date of examination and reason for such
11 examination. The Secretary of State shall supply such forms to
12 the county clerks annually and replenish such forms upon
13 request.~~

14 ~~The county clerk shall promptly notify each person required
15 to file a statement under this Article of each instance of an
16 examination of his statement by sending him a duplicate
17 original of the identification form filled out by the person
18 examining his statement.~~

19 (Source: P.A. 92-101, eff. 1-1-02; 93-617, eff. 12-9-03.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."